

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FLYPSI, INC. (D/B/A FLYP),
Plaintiff,
vs.
GOOGLE LLC,
Defendant.

Civil Action No. 6:22-cv-31-ADA

JURY TRIAL DEMANDED

OMNIBUS ORDER ON THE PARTIES' DISPUTED MOTIONS IN LIMINE

After considering briefing and holding oral arguments on January 17, 2024, the Court hereby enters its rulings on the following disputed Motions in *Limine*:

Plaintiff Flypsi, Inc. (d/b/a Flyp)'s disputed Motions in *Limine* (Dkts. 223, 237):

- Plaintiff's Motion in *Limine* No. 1 seeking to preclude any argument or evidence regarding inventorship or specific contributions of each inventor to the Patents-in-Suit is **DENIED**.
- Plaintiff's Motion in *Limine* No. 4 seeking to preclude any argument or evidence that Flyp has the burden to establish the changes in Google Voice is **DENIED**. Google stipulates that it will not suggest to the jury that Flyp has the burden of proof on Google's affirmative defense of prior use; however, Google shall be permitted to elicit testimony and argue that Flyp cannot identify changes to Google Voice during one or more particular time periods.

- Plaintiff's Motion in *Limine* No. 8 seeking to preclude any argument or evidence regarding the familial or personal relationships of Flyp employees or agents, or any potential witness is **GRANTED**.
- Plaintiff's Motion in *Limine* No. 10 seeking to preclude any argument or evidence regarding the circumstances of inventor Sunir Kochhar's termination from Flyp is **GRANTED** to the extent it is offered as character evidence regarding Mr. Peter Rinfret.

Defendant Google LLC's disputed Motions in *Limine* (Dkts. 226, 235):

- Defendant's Motion in *Limine* No. 1 seeking to preclude any evidence, testimony, or argument regarding undisclosed facts underlying the Dialpad Agreement as to which Flyp invoked privilege is **DENIED**.
- Defendant's Motion in *Limine* No. 3 seeking to preclude any evidence, testimony, or argument regarding the November 2015 meeting is **GRANTED**.
- Defendant's Motion in *Limine* No. 4 seeking to preclude any evidence, testimony, or argument suggesting that Google Voice was considered by the U.S. Patent Office in connection with the Asserted Patents is **DENIED**.

SIGNED this 31st day of January, 2024.



ALAN D ALBRIGHT
UNITED STATES DISTRICT COURT JUDGE